

This instrument prepared by:

Joseph D. Neyman, Jr. – MS Bar #10399
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2545 Caffey St.
Hernando, MS 38632
662-429-5041

GRANTOR(S): DESOTO COUNTY, MISSISSIPPI, a Political Subdivision

GRANTOR(S) ADDRESS & PHONE:

365 Loshier Street

Hernando, MS 38632

Home Phone: N/A

Business Phone: 662-429-5011

GRANTEE(S): HORN LAKE CREEK WATERSHED DRAINAGE DISTRICT

GRANTEE(S) ADDRESS & PHONE:

2535 Highway 51

Hernando, MS 38632

Home Phone: N/A

Business Phone: 662-429-5011

INDEXING INSTRUCTIONS: Northwest Quarter of Section 17, Township 2 South, Range 7
West, DeSoto County, Mississippi

TEMPORARY CONSTRUCTION EASEMENT

For and in consideration of the sum of \$10.00 cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, **DESOTO COUNTY, MISSISSIPPI, a political subdivision**, does hereby grant and convey a temporary construction easement to **HORN LAKE CREEK WATERSHED DRAINAGE DISTRICT** its employees, agents, contractors, and cooperation parties, such as the Natural Resources Conversation Service of the United States Department of Agriculture, with the right to enter upon the following described lands as a construction and work area, including the right to move, store, and remove equipment and supplies, and to perform any other work necessary and incident to the improving of drainage ditches, together with the right to grade land, install rip rap or similar materials, trim, cut, fell and remove therefrom all snags, trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the easement:

Beginning at a point that is South 07°-40'-29" East, a distance of 675.03 feet and South 05°-17'-13" East, a distance of 147.16 feet from the Northwest Corner of Section 17, Township 2 South, Range 7 West, DeSoto County, Mississippi, said point being on the east right-of-way of Swinnea Road and at the southwest corner of Lot 3, Greenway Minor Subdivision and being the point of beginning for a Temporary Construction and Maintenance Easement for Bank Stabilization along Lateral D, Tributary to Horn Lake Creek and more particularly described as follows:

Beginning at the southwest corner of Lot 3 Greenway Minor Subdivision; thence North 05°-17'-13" West and along the west line of said Lot 3 and the east right-of-way of Swinnea Road, a distance of 147.16 feet to a point, said point being the northwest corner of said Lot 3 and the southwest

corner of the remnant parcel of the Etta Shipp tract; thence in a northerly direction along the west line of the said remnant parcel of the Etta Shipp tract and the east right-of-way of Swinnea Road, a distance of approximately 43 feet to a point, said point being the northwest corner of the said remnant parcel of the Etta Shipp tract; thence westerly, a distance of 40 feet to the centerline of Swinnea Road; thence in a southerly direction and along the centerline of Swinnea Road, a distance of approximately 190 feet to a point in the centerline of Swinnea Road and opposite the southwest corner of said Lot 3; thence in a easterly direction, a distance of 40 feet to the southwest corner of said Lot 3 and the point of beginning of a Temporary Easement for Construction and Maintenance of Bank Stabilization along Lateral D, Tributary to Horn Lake Creek; subject description is intended to describe the right-of-way of Swinnea Road along Lot 3, Greenway Minor Subdivision and the remnant parcel of the Etta Shipp tract. Said property being located in the Northwest Quarter.

DeSoto County, Mississippi fully understands that it has the right to receive just compensation for the real property herein described based on an appraisal of said property. DeSoto County, Mississippi hereby waives its right to just compensation and donates the real property herein described to Horn Lake Creek Watershed Drainage District. DeSoto County, Mississippi further understands that it has the right to request that a fair market value appraisal of the property be made and it hereby waives that right.

The temporary construction easement shall last for two years or until the completion of the project, whichever comes first.

WITNESS MY SIGNATURE, on the date as set forth below.

DESOTO COUNTY, MISSISSIPPI
A Political Subdivision

BY: Bill Russell
BILL RUSSELL
President of the DeSoto County Board of Supervisors

Dated: JUNE 7, 2010

STATE OF MISSISSIPPI
COUNTY OF DESOTO

This day, personally appeared before me, the undersigned authority in and for said county and state, the above named Bill Russell, who acknowledged that in his capacity as President of the DeSoto County Board of Supervisors, for and on behalf of and by authority of DeSoto County, Mississippi, a political subdivision, he signed and delivered the above and foregoing Temporary Construction Easement on the day and date therein mentioned and for the purposes therein expressed.

GIVEN under my hand and official seal of office, this the 7th day of June, 2010.

Connie Rhea Vulf
Notary Public

My commission expires:
June 17, 2011

